

FAYETTE CO, KY FEE \$62.00

SUSAN LAMB
COUNTY CLERK

PRESENTED/LODGED: 12/23/2024 11:34:06 AM

BOBBIE MARSTELLA, DEPUTY CLERK 202412230164

BK: DB 4109

PG: 359-367



DEED OF EASEMENT

This **PERMANENT SANITARY SEWER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT** is made and entered into this the 18th day of December, 2024, by and between **GREEN PROPERTY HOLDINGS, LLC**, a **Kentucky limited liability company**, P.O. Box 55628, 675 New Circle Road, Lexington, Kentucky 40555, which is the in-care of tax mailing address for the current year (hereinafter "Grantor"), and **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, 200 East Main Street, Lexington, Kentucky 40507 (hereinafter "Grantee").

WITNESSETH:

That for and in consideration of the sum of **FIFTEEN THOUSAND DOLLARS AND 00/100 CENTS (\$15,000.00)**, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, said Grantor has

Return to:
Cynthia Cannon-Ferguson
LFUCG, Dept. of Law, 11th Floor
200 East Main Street
Lexington, KY 40507

BARGAINED and **SOLD** and does hereby **GIVE, GRANT** and **CONVEY** unto the Grantee, its successors and assigns, permanent right to excavate, grade, construct, alter, re-grade and perform related work for the purpose of sanitary sewer improvements and construction, installation, repair, maintenance and relocation through and across the following tract of land located in the confines of Lexington, Fayette County, Kentucky, depicted on the attached Exhibit "A", and more particularly described as follows, to wit:

Permanent Sanitary Sewer Easement
Floyd Drive Trunk
Sewer Improvement Project
(a portion of 1441 Sunshine Lane)

Tract A

A certain parcel of land near Sunshine Lane, within the City of Lexington, County of Fayette, Commonwealth of Kentucky, more particularly described as follows:

COMMENCING, at the southwest corner of Green Property Holdings, LLC, Lot 1, of record at Plat Cabinet S, Slide 9, of the Fayette County Clerk's records, as conveyed to Green Property Holdings, LLC in Deed Book 2492, Page 290 and in the line of New Circle Road (Kentucky Highway 4); thence with the line of said Lot 1 for one (1) call:

1. N 61°04'44" E, a distance of 383.08 feet to the **TRUE POINT OF BEGINNING**; thence continuing with said Lot 1 for one (1) call:
1. N 61°05'24" E, a distance of 20.00 feet; thence with a new easement line for three (3) calls:
 1. S 28°44'24" E, a distance of 50.31 feet;
 2. S 62°50'04" W, a distance of 20.01 feet;
 3. N 28°44'24" W, a distance of 49.70 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 1,000.06 square feet of permanent easement; and,

Tract B

A certain parcel of land near Sunshine Lane, within the City of Lexington, County of Fayette, Commonwealth of Kentucky, more particularly described as follows:

COMMENCING, at the southwest corner of Green Property Holdings, LLC, Lot 1, of record at Plat Cabinet S, Slide 9, of the Fayette County Clerk's records, as conveyed to Green Property Holdings, LLC in Deed Book 2492, Page 290 and in the line of New Circle Road (Kentucky Highway 4); thence with the line of said Lot 1 for one (1) call:

1. N 61°04'44" E, a distance of 383.08 feet; thence leaving the line of Lot 1 and through the lands of Green Property Holdings, LLC for one (1) call:
1. S 28°44'24" E, a distance of 64.70 feet to the **TRUE POINT OF BEGINNING**; thence with a new easement line for four (4) calls:
 1. N 62°50'04" E, a distance of 20.01 feet;
 2. S 28°44'24" E, a distance of 2.05 feet;
 3. S 61°15'36" W, a distance of 20.00 feet;
 4. N 28°44'24" W, a distance of 2.60 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 46.56 square feet of permanent easement; and,

Tracts A and B, being a portion of the property conveyed to Green Property Holdings, LLC, a Kentucky limited liability company, by Deed dated September 15, 2004, of record in Deed Book 2492, Page 290, in the Fayette County Clerk's Office.

FURTHER, for and in consideration of the sum hereinbefore mentioned, the receipt and sufficiency of which is hereby acknowledged, Grantor has **BARGAINED** and **SOLD** and does hereby **GIVE, GRANT** and **CONVEY** unto the Grantee, its successors

and assigns, temporary right to excavate, grade, construct, alter, re-grade and perform related work for the purpose of sanitary sewer placement and construction, installation, repair, maintenance and relocation through and across the following tract of land located in the confines of Lexington, Fayette County, Kentucky, depicted on Exhibit "A" attached hereto, and more particularly described as follows:

Temporary Construction Easement
Floyd Drive Trunk
Sewer Improvement Project
(a portion of 1441 Sunshine Lane)

Tract A

A certain parcel of land near Sunshine Lane, within the City of Lexington, County of Fayette, Commonwealth of Kentucky, more particularly described as follows:

COMMENCING, at the southwest corner of Green Property Holdings, LLC, Lot 1, of record at Plat Cabinet S, Slide 9, of the Fayette County Clerk's records, as conveyed to Green Property Holdings, LLC in Deed Book 2492, Page 290 and in the line of New Circle Road (Kentucky Highway 4); thence with the line of said Lot 1 for one (1) call:

1. N 61°04'44" E, a distance of 403.08 feet to the **TRUE POINT OF BEGINNING**; thence continuing with said Lot 1 for one (1) call:
1. N 61°05'24" E, a distance of 10.00 feet; thence with a new easement line for three (3) calls:
 1. S 28°44'24" E, a distance of 50.62 feet;
 2. S 62°50'04" W, a distance of 10.00 feet;
 3. N 28°44'24" W, a distance of 50.31 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 504.63 square feet of temporary construction easement; and,

Tract B

A certain parcel of land near Sunshine Lane, within the City of Lexington, County of Fayette, Commonwealth of Kentucky, more particularly described as follows:

COMMENCING, at the northeast corner of Green Property Holdings, LLC, Lot 1, of record at Plat Cabinet S, Slide 9, of the Fayette County Clerk's records, as conveyed to Green Property Holdings, LLC in Deed Book 2492, Page 290 and in the line of New Circle Road (Kentucky Highway 4); thence with the line of said Lot 1 for one (1) call:

1. N 61°04'44" E, a distance of 403.08 feet; thence leaving the line of Lot 1 and through the lands of Green Property Holdings, LLC for one (1) call:

1. S 28°44'24" E, a distance of 65.32 feet to the **TRUE POINT OF BEGINNING**; thence with a new easement line for eight (8) calls:

1. N 62°50'04" E, a distance of 10.00 feet;

2. S 28°44'24" E, a distance of 11.78 feet;

3. S 61°15'36" W, a distance of 40.00 feet;

4. N 28°44'24" W, a distance of 12.88 feet;

5. N 62°50'04" E, a distance of 10.00 feet;

6. S 28°44'24" E, a distance of 2.60 feet;

7. N 61°15'36" E, a distance of 20.00 feet;

8. N 28°44'24" W, a distance of 2.05 feet to the **TRUE POINT OF BEGINNING**; and,

The above-described parcel contains 446.56 square feet of temporary construction easement; and,

Tract C

A certain parcel of land near Sunshine Lane, within the City of Lexington, County of Fayette, Commonwealth of Kentucky, more particularly described as follows:

COMMENCING, at the northeast corner of Green Property Holdings, LLC, Lot 1, of record at Plat Cabinet S, Slide 9, of the

Fayette County Clerk's records, as conveyed to Green Property Holdings, LLC in Deed Book 2492, Page 290 and in the line of New Circle Road (Kentucky Highway 4); thence with the line of said Lot 1 for one (1) call:

1. N 61°04'44" E, a distance of 373.08 feet to the **TRUE POINT OF BEGINNING**; thence continuing with said Lot 1 for one (1) call:

1. N 61°05'24" E, a distance of 10.00 feet; thence with a new easement line for three (3) calls:

1. S 28°44'24" E, a distance of 49.70 feet;

2. S 62°50'04" W, a distance of 10.00 feet;

3. N 28°44'24" W, a distance of 49.39 feet to the **POINT OF BEGINNING**; and,

the above-described parcel contains 495.43 square feet of temporary construction easement; and,

Tracts A, B and C, being a portion of the property conveyed to Green Property Holdings, LLC, a Kentucky limited liability company, by Deed dated September 15, 2004, of record in Deed Book 2492, Page 290, in the Fayette County Clerk's Office.

TO HAVE AND TO HOLD the above-described easements together with all rights, appurtenances, and improvements thereunto belonging unto Grantee, its successors and assigns forever, for the purposes and uses herein designated.

TOGETHER with the right to use the above-described easements during the time the sanitary sewer is being constructed, repaired or reconstructed, with the right of ingress and egress upon said easements as may be reasonably necessary for the construction and maintenance of said project.

The above-described temporary construction easement runs with the land for the duration of the improvement project and is binding upon the successors and assigns of the Grantor. The above-described permanent easement runs with the land in perpetuity

and is binding upon the successors and assigns of the Grantor. The temporary construction easement shall take effect upon the commencement of construction of the project and will expire upon completion of the project or maintenance thereof.

Grantor shall have the full right to use the surface of the land lying over said permanent easement for any purpose desired, provided such use will not interfere with the Grantee's free use of the easement herein granted and provided further that no building or structure shall be erected upon, across, over or through said permanent easement without prior written consent of the Grantee.

Grantor does hereby release and relinquish unto the Grantee, its successors and assigns forever, all of its right, title, and interest in and to the property to the extent of the interests conveyed herein, including all exemptions allowed by law, and do hereby covenant to and with the Grantee, its successors and assigns forever, that it is lawfully seized in fee simple of said property and has good right to sell and convey the easements as herein done, and that it will **WARRANT SPECIALLY** said title.

The obtaining of this easement was authorized by Resolution 629-2023, passed by the Lexington-Fayette Urban County Council on December 5, 2023, and by Amended Resolution 551-2024, passed by the Lexington-Fayette Urban County Council on November 14, 2024. Pursuant to KRS 382.135(2)(a), this deed of easement, which pertains to a public utility, need not contain a statement of consideration.

IN TESTIMONY WHEREOF, the Grantor has signed this Deed of Easement, this the day and year first above written.

GRANTOR:

GREEN PROPERTY HOLDINGS, LLC, a
Kentucky limited liability company

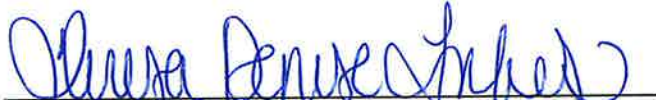
BY:


CURTIS CLAY GREEN, II,
MEMBER

COMMONWEALTH OF KENTUCKY)

COUNTY OF FAYETTE)

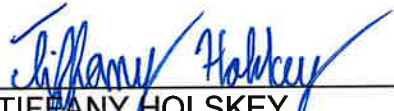
This instrument was acknowledged, subscribed and sworn to before me by Curtis Clay Green, II, as a Member, for and on behalf of Green Property Holdings, LLC, a Kentucky limited liability company, on this the 18th day of Dec., 2024.

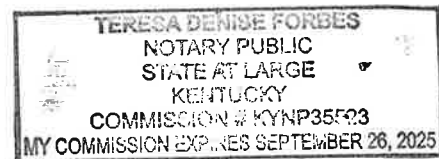

Notary Public, Kentucky, State-at-Large

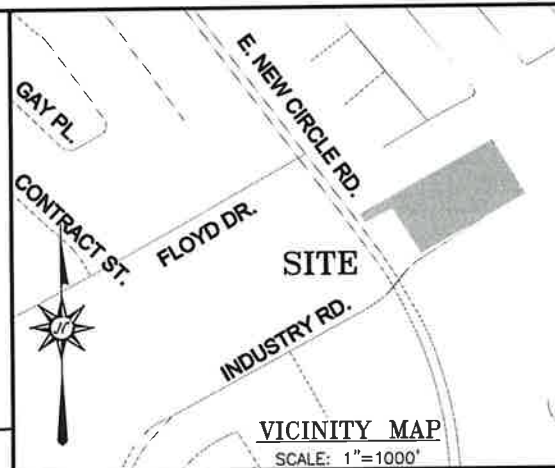
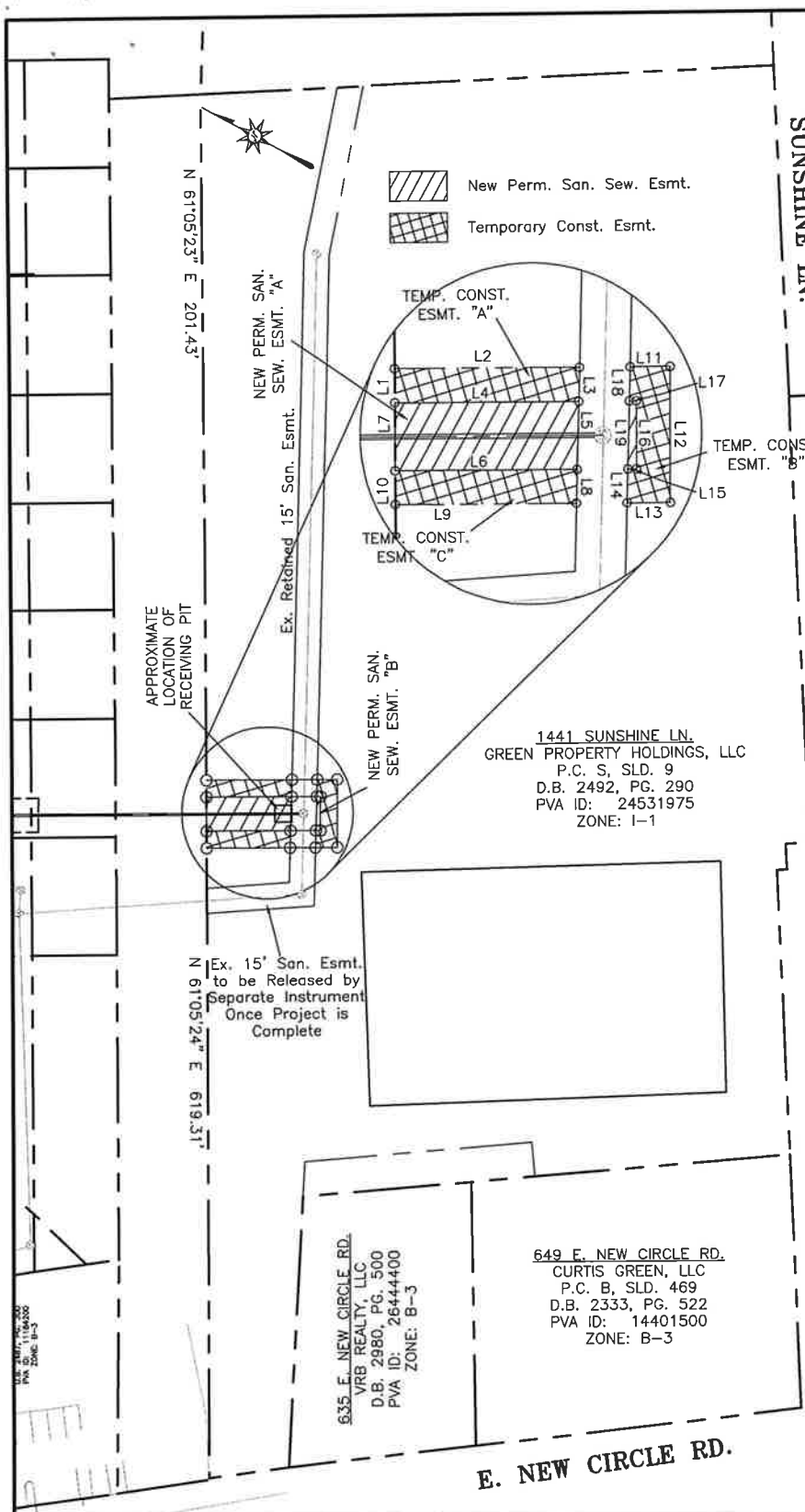
My Commission Expires: 09 / 26 / 2025

Notary ID # KYNP35523

PREPARED BY:


TIFFANY HOLSKEY,
Attorney
Lexington-Fayette Urban
County Government
Department of Law, 11th Floor
200 East Main Street
Lexington, Kentucky 40507
(859) 258-3500





667 E. NEW CIRCLE RD.
B & F HOLDINGS, LLC
P.C. D, SLD. 372
D.B. 2201, PG. 257
PVA ID: 26319400
ZONE: I-1

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 61°05'24" E	10.00'
L2	S 28°44'24" E	50.62'
L3	S 62°50'04" W	10.00'
L4	N 28°44'24" W	50.31'
L5	S 62°50'04" W	20.01'
L6	N 28°44'24" W	49.70'
L7	N 61°05'24" E	20.00'
L8	S 62°50'04" W	10.00'
L9	N 28°44'24" W	49.39'
L10	N 61°05'24" E	10.00'
L11	S 28°44'24" E	11.78'
L12	S 61°15'36" W	40.00'
L13	N 28°44'24" W	12.88'
L14	N 62°50'04" E	10.00'
L15	S 28°44'24" E	2.60'
L16	N 61°15'36" E	20.00'
L17	N 28°44'24" W	2.05'
L18	N 62°50'04" E	10.00'
L19	N 62°50'04" E	20.01'

NOTES:

1. SOURCE OF TITLE: GREEN PROPERTY HOLDINGS, LLC; DEED BOOK 2492, PAGE 290.

2. THE BASIS OF BEARINGS ARE KENTUCKY STATE PLANE GRID NORTH ZONE (NAD 83), U.S. SURVEY FEET.

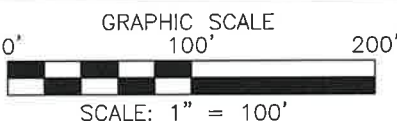
AREAS:

NEW PERMANENT EASEMENT "A": 1000.06 S.F.
NEW PERMANENT EASEMENT "B": 46.56 S.F.
EX. SEWER EASEMENT TO BE RETAINED: 6797.88 S.F.
TOTAL PERMANENT EASEMENTS: 7844.50 S.F.
TOTAL NEW PERMANENT EASEMENTS: 1046.62
EX. SEWER EASEMENT TO BE RELEASED: 1253.94 S.F.
TEMP. CONSTRUCTION EASEMENT "A": 504.63 S.F.
TEMP. CONSTRUCTION EASEMENT "B": 446.56 S.F.
TEMP. CONSTRUCTION EASEMENT "C": 495.43 S.F.
TOTAL CONSTRUCTION EASEMENTS: 1446.62 S.F.



Environmental, Civil Engineering Consultants, Land Surveying
128 E. Reynolds Rd, Suite 150, Lexington, KY 40517
Ph: (859) 559-0516 - Fax: (859) 523-0095
www.visionengr.com

OWNER:
GREEN PROPERTY HOLDINGS, LLC
P.O. BOX 55628
LEXINGTON, KY 40505



FLOYD DRIVE TRUNK SEWER
IMPROVEMENTS
EXHIBIT SHOWING SANITARY SEWER
EASEMENT TO BE ACQUIRED FROM
GREEN PROPERTY HOLDINGS, LLC
1441 SUNSHINE LANE
LEXINGTON, KENTUCKY 40505
12/19/2023
SHEET 1 OF 1